

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED

APR 10 2018

Clerk, U.S. District Court
Texas Eastern

JASON LEE VAN DYKE,
Plaintiff,

v.

CASE NO. 4:18cv247

THOMAS RETZLAFF,
Defendant.

DEFENDANT RETZLAFF'S TCPA MOTION TO DISMISS

1. Defendant Retzlaff moves for an order dismissing plaintiffs' complaint and he seeks an award of attorney's fees and mandatory sanctions pursuant to the Texas Citizen's Participation Act. Tex. Civ. Prac. & Rem. Code chapter 27.
2. The grounds for this motion are that defendant's conduct consisted solely of protected activities in furtherance of his right of free speech under the United States or Texas constitution in connection with a public issue.
3. This motion is based on the pleadings and papers on file in this case and the attached memorandum of points and authorities, exhibits, declarations, as well as arguments presented at a hearing.

NOTICE OF MOTION

Please take notice that defendant Retzlaff will bring this motion for hearing
before this Court on the ____ day of _____, 2018.

Respectfully submitted,



Thomas Retzlaff
2402 E. Esplanade Ln.
PO Box 46424
Phoenix, AZ 85063-6424
(210) 317-9800
email: Retzlaff@texas.net

DEFENDANT, PRO SE

CERTIFICATE OF SERVICE

I certify that on April 9, 2018, a copy of this document was served upon plaintiff via 1st class US Mail at his residence of:

Jason L. Van Dyke, 108 Durango Dr., Aubrey, TX 76227.

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A handwritten signature in black ink, appearing to read "Tom", with a stylized flourish extending to the right.

Thomas Retzlaff